

CORRECTED PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on March 5, 2009, with the briefing starting at 11:06 a.m. in Room 5ES and the public hearing at 1:31 p.m. in the City Council Chambers of City Hall. Presiding were Joe Alcantar, Chair and Chris Buehler, Vice Chair. The following Commissioners were present during the hearing: James Prothro, Liz Wally, Clarence Gary, Michael Davis, Emma Rodgers, John Lozano, Ann Bagley, Myrtl Lavallaisaa, Bob Weiss, Tom Lueder, Robert Ekblad and Neil Emmons. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Sally Wolfish. There are no vacancies.

The City Plan Commission was briefed by staff on each item on the agenda and a question and answer period followed each briefing.

A variety of dockets, requests and briefings were presented to the Commission during the open public hearing. The applicants or their representatives presented their arguments, citizen comments were heard, and using the information and staff recommendations in the hearing dockets, the Commission took the following actions.

NOTE: For more detailed information on discussion on any issue heard during this briefing and public hearing, refer to the tape recording retained on file in the Department of Development Services.

PUBLIC HEARINGS:

Subdivision Docket

Planner: Mike Grace

Pursuant to Texas Local Government Code Section 212.009(e) these minutes and recording of the hearing certify the reasons for denial of any plat application.

Consent Agenda - Preliminary Plat

(1) **S089-059**

Motion: It was moved to **approve** an application to replat all of Lots 29 thru 33 in City Block F/6364 into one 0.729 acre lot on 4815 thru 4831 Carol Lane, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Speakers: None

(2) **S089-060**

Motion: It was moved to **approve** an application to create a 2.226 acre lot and a 2.089 acre lot out of a tract of land in City Block 8759 on Frankford Road, east of Coit Road, subject to compliance with the conditions listed in the docket.

Maker: Weiss
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Speakers: None

(3) **S089-063**

Motion: It was moved to **approve** an application to replat all of Lot 1 in City Block A/5747 into one 54,606 sq. ft. lot and one 54,629 sq. ft. lot fronting on Motor Street, subject to compliance with the conditions listed in the docket with and added condition to clarify the adjacent property owners' name correctly.

Maker: Weiss
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Speakers: None

Residential Replats

(4) **S089-057**

Motion: It was moved to **approve** an application to replat Lot 12 of the Whispering Springs Addition, also known as 5304 Willow Wood Lane, and a 659 sq. ft. tract of land into one 12,000 sq. ft. lot in City Block 26/8760, fronting 40.85 feet on the south line of Willow Wood Lane, subject to compliance with the conditions listed in the docket.

Maker: Prothro
Second: Lueder
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Speakers: For: Michael Lewis, 5350 Amesbury Dr., Dallas, TX, 75206
Against: None

(5) **S089-062**

Motion: It was moved to **approve** an application to replat Lot 12 of the Merrifield Manor Addition, Second Installment in City Block K/5953, also known as 4502 Moler Street and all of an adjacent 50' x 107' abandoned portion of Hord Avenue into a 12,403 sq. ft. lot, subject to compliance with the conditions listed in the docket.

Maker: Prothro
Second: Ekblad
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Speakers: None

Miscellaneous Docket

M089-014

Planner: Richard Brown

Motion: It was moved to **approve** of a minor amendment to the development plan for Phase II of Planned Development Subdistrict No. 53 for certain HC Heavy Commercial Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District in an area bounded by Harwood Street, Moody Street, Harry Hines Boulevard, and Witchita Street.

Maker: Emmons
Second: Weiss
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Speakers: None

Certificates of Appropriateness for Signs

Downtown Sign District:

0901281013

Planner: Kyra Blackston

Motion: It was moved to **approve** a Certificate of Appropriateness for the installation of a 50 square foot detached premise sign containing a logo and the words "Reunion Tower" at the southeastern entrance on Hyatt Regency Hotel Boulevard at 300 Reunion Boulevard.

Maker: Wally
Second: Emmons
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Speakers: None

Zoning Cases – Under Advisement

A. **Z089-141(MAW)**

Planner: Megan Wimer

Motion: It was moved to recommend **approval** of a Planned Development District for Mixed Uses, subject to a conceptual plan and staff recommended conditions on property zoned an MF-1(A) Multifamily District and an MF-2(A) Multifamily District on the north side of Meadow Road, west of Greenville Avenue.

Maker: Ekblad
Second: Davis
Result: Carried: 13 to 0

For: 13 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Buehler, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0
Conflict: 1 - Lueder

Notices: Area: 500 Mailed: 22
Replies: For: 0 Against: 0

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Against: None

1. **Z078-282(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **denial** of a Specific Use Permit for a Recycling collection center on property zoned an IR Industrial Research District and within a designated flood plain on the northwest line of Northwest Highway, east of its intersection with Lombardy Lane.

Maker: Lozano
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Notices: Area: 200 Mailed: 12
Replies: For: 0 Against: 2

Speakers: For: Robert Baldwin, 401 Exposition Ave., Dallas, TX, 75226
Against: Roxan Staff, 6964 Tokalon Dr., Dallas, TX, 75214

2. Z078-309(RB)

Planner: Richard Brown

Motion: In considering an application for a Specific Use Permit for Gas drilling and production on property zoned an A(A) Agricultural District and Specific Use Permit No. 517 for a Commercial radio station and transmitting towers on the south line of Sanders Loop, east of Belt Line Road., it was moved to **hold** this case under advisement until March 26, 2009.

Maker: Lozano
Second: Weiss
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Notices: Area: 1000 Mailed: 14
Replies: For: 1 Against: 0

Speakers: None

Zoning Cases - Individual

3. Z089-116(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1500 for a Vehicle display, sales, and service use for a five-year period, subject to a site plan and conditions on property within Planned Development District No. 629 for MU-3 Mixed Use District Uses on the northeast corner of North Central Expressway and Bonner Drive.

Maker: Lueder
Second: Weiss
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Notices: Area: 200 Mailed: 9
Replies: For: 0 Against: 0

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75229
Against: None

4. **Z089-131(RB)**

Planner: Richard Brown

Motion: It was moved to recommend **approval** of a Specific Use Permit for an Office showroom/warehouse for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions on property within the Subdistrict 6 portion of Planned Development District No. 533, the C. F. Hawn Special Purpose District No. 1, on the northeast line of CF Hawn Freeway, northwest of Southeast Drive.

Maker: Rodgers
Second: Weiss
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Notices: Area: 300 Mailed: 24
Replies: For: 1 Against: 0

Speakers: For: Mari Bailey, 2700 Swiss Ave., Dallas, TX, 75035
Against: None

5. **Z078-312(WE)**

Planner: Warren Ellis

Motion: In considering an application for the renewal of Specific Use Permit No. 1609 for potentially incompatible industrial uses with outside storage on property zoned an IM Industrial Manufacturing District, on the west side of Spangler Road, between Ryan Road and Walnut Hill Lane, it was moved to **hold** this case under advisement until March 26, 2009.

Maker: Lozano
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Notices: Area: 400 Mailed: 15
Replies: For: 1 Against: 5

Speakers: For: Dan Garrigan, 2911 McKinney Ave., Dallas, TX, 75204
Thomas Helsley, 10730 Spangler Rd., Dallas, TX, 75220
Scott Helsley, 10730 Spangler Rd., Dallas, TX, 75220
Against: None

Authorization of Hearing

Motion: It was moved to **authorize** a public hearing to determine the proper zoning on property zoned Planned Development District No. 730 and an R-5(A) Single Family Subdistrict with Specific Use Permit No. 479 for a nursing home on a portion, an NC Neighborhood Commercial Subdistrict, and a CC(E) Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District in an area which is generally both sides of Bexar Street from Brigham Street and C.F. Hawn Freeway extending east on Macon Street, Starks Avenue, Ghent Street, Hooper Street, and Anderson Street and west on Hooper Street, Starks Avenue, and Macon Street with consideration given to amending and expanding Planned Development District No. 730 and amending Specific Use Permit No. 479.

Maker: Bagley
Second: Prothro
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Speakers: None

Motion: It was moved to **authorize** a public hearing to determine the proper zoning on property zoned an R-5(A) Single Family Subdistrict, an D(A) Duplex Subdistrict, an MF-1(A) Multifamily Subdistrict and an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on both sides of Dorris Street from Bexar Street to east of Woodville Street; both sides of Valentine Street, Silkwood Street, and Rochester Street between Bexar Street and Woodville Street; and area bound by Bexar Street, Canaan Street, and Budd Street with consideration given to rezoning a portion of the D(A) Duplex Subdistrict to an R-5(A) Single Family Subdistrict, a portion of the D(A) Duplex Subdistrict to an NC Neighborhood Commercial Subdistrict, a portion of the NC Neighborhood Commercial Subdistrict to an R-5(A) Single Family Subdistrict, a portion of the R-5(A) Single Family Subdistrict to an NC Neighborhood Commercial Subdistrict, and the MF-1(A) Multifamily Subdistrict to an NC Neighborhood Commercial Subdistrict.

Maker: Bagley
Second: Prothro
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Speakers: None

Other Matters

Minutes

Motion: It was moved to **approve** the minutes of the February 26, 2009, City Plan Commission meeting, subject to corrections.

Maker: Weiss
Second: Emmons
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano,
Bagley, Lavallaisaa, Weiss, Lueder, Buehler,
Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Adjournment

Motion: It was moved to **adjourn** the March 5, 2009, City Plan Commission meeting at 2:48 p.m.

Maker: Lueder
Second: Weiss
Result: Carried: 14 to 0

For: 14 - Prothro, Wally, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Ekblad, Emmons, Alcantar

Against: 0
Absent: 1 - Wolfish
Vacancy: 0

Joe Alcantar, Chair